

Doke- Equal Treatment  
Recommendations

1. Legislation should be enacted providing that contractors and the Government shall enjoy the same legal presumptions, if any, in discharging their duties and in exercising their rights in connection with the performance of any government contract, and either party's attempt to rebut any legal presumption that applies to the other party's conduct shall be subject to a uniform evidentiary standard that applies equally to both parties.
2. Statutory and regulatory provisions should be considered to address other areas where the same rules for contract interpretation, performance, and liabilities are not applied equally to contractors and the Government unless required by the United States Constitution or expressly required by statute or by a contract clause required by the Federal Acquisition Regulation to be included in the particular contract.